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Attorneys for Defendants, Deptford Township, Deptford Township Police Department, Deptford Township Internal Affairs Department, Police Chief Kevin Pancoast, Sergeant Michael Riggs, Detective Matthew J. Massing and Officer Ryan Osmola

Plaintiff(s),

ANNETTE CHINN, DOUGLAS CHINN and
CHELSEY CHINN

vs.

Defendant(s),

DENYCE CHINN; DONEAN PARKER;
DEPTFORD TOWNSHIP; DEPTFORD
TOWNSHIP POLICE DEPARTMENT;
DEPTFORD TOWNSHIP INTERNAL
AFFAIRS DEPARTMENT; POLICE CHIEF
KEVIN PANCOAST; SERGEANT MICHAEL
RIGGS; DETECTIVE MATTHEW J.
MASSING; OFFICER RYAN OSMOLA;
GLOUCESTER COUNTY PROSECUTOR'S
OFFICE; PROSECUTOR CHARLES FIORE;
ASSISTANT PROSECUTOR PAUL
COLANGELO; INDIVIDUAL OFFICERS 1-5;
INDIVIDUAL ASSISTANT PROSECUTORS
1-5

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

CIVIL ACTION

CASE NO. 1:20-cv-10256-NLH-JS

NOTICE OF MOTION TO
DISMISS PLAINTIFF'S COMPLAINT
FOR FAILURE TO ANSWER
DISCOVERY PURSUANT TO LOCAL
RULE 37.1

TO: Joseph P. Howard, Esq.

TAKE NOTICE that the undersigned will apply to the above-named Court located in Camden, New Jersey on a date to be determined by the Court, or as soon thereafter as counsel may be heard, for an Order dismissing plaintiff's Complaint for failure to provide Rule 26 Disclosures upon the following grounds:

Reliance will be placed upon the attached Certification.

A proposed form of Order is attached.

Pursuant to *Rule 1:6-2(d)*, the undersigned:

- ☐ Waives oral argument and consents to disposition on the papers.
- ☒ **Requests oral argument if Motion is contested.**
- ☐ Requests oral argument.
- ☐ Oral argument is not requested at this time.

BIRCHMEIER & POWELL LLC

BY: 

Erin R. Thompson, Esq.

Attorney for Defendants, Deptford Township, Deptford Township
Police Department, Deptford Township Internal Affairs Department,
Police Chief Kevin Pancoast, Sergeant Michael Riggs, Detective
Matthew J. Massing and Officer Ryan Osmola

Date: January 12, 2021